

REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 13 and 28 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-33 are pending and under consideration.

DOUBLE PATENTING:

Claims 1-33 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-15 of U.S. Patent No. 6,935,329 in view of Gschwind (US 6,502,504 – hereinafter Gschwind) and Pearlman et al. (US 5,801,362 – hereinafter Pearlman).

Applicants respectfully submit that the concurrently submitted Terminal Disclaimer overcomes the rejection.

Accordingly, Applicants respectfully submit that claims 1-12, and 30-33 are now allowable.

REJECTION UNDER 35 U.S.C. §§102 AND 103:

In the Office Action, at page 3, the Examiner rejected claims 13-15, 28 and 29 under 35 U.S.C. §102(b) as being anticipated by Nishikawa (US 4,350,874 – hereinafter Nishikawa). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicant traverses this rejection and respectfully request reconsideration.

In the Office Action, at page 3, the Examiner rejected claims 16-27 under 35 U.S.C. §103(a) as being unpatentable over Nishikawa in view of Pearlman. The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicant traverses this rejection and respectfully request reconsideration.

Amended, independent claim 13 recites: "...a heat reflecting unit, removably mounted in the body, to reflect heat from the heating unit and collect liquid separated from food during cooking...."

And amended, independent claim 28 recites: "...reflecting plates mounted on the frame, to reflect heat from the heating unit and collect liquid separated from food during cooking..."

Applicants respectfully submit that Nishikawa neither discloses nor suggests reflecting plates mounted on the frame, to reflect heat from the heating unit and collect liquid separated from food during cooking. Applicant further respectfully submits that the reflector 16 and heat shield 13 in Nishikawa cannot be modified to perform such a task, since support member 6 is located beneath the reflector 16 and heat shield 13.

Additionally, the Examiner responded to earlier presented arguments by noting that if the shield of Nishikawa is mounted in the case, it can be removed from the case in some form. The examiner further notes “[t]hus, the reflector is removable somehow.”

Applicants respectfully submit that the Examiner’s logic is flawed. Using the Examiner’s logic, if, for example, the reflector 16 and heat shield 13 of Nishikawa were welded into the outer case 9, then a blow torch could be used to cut out the reflector 16 and heat shield 13. But such an operation would render the device of Nishikawa inoperable.

Thus Applicants respectfully submit that one of ordinary skill in the art would not necessarily interpret that everything that has been assembled is removable.

Accordingly, Applicants respectfully submit that independent claims 13 and 28 patentably distinguish over the cited art, and should be allowable for at least the above-mentioned reasons. Further, Applicants respectfully submit that claims 14-27, and 29, which variously depend from independent claims 13 or 28, should be allowable for at least the same reasons as claims 13 and 28, as well as for the additional features recited therein.

CONCLUSION:

In accordance with the foregoing, Applicant respectfully submit that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the cited art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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